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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,984	10/17/2003	Gil Gavriel Dudkiewicz	051448-0209	1391

23392 7590 10/10/2007

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EXAMINER	
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ART UNIT	PAPER NUMBER
2623	

MAIL DATE	DELIVERY MODE
10/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/687,984	DUDKIEWICZ ET AL.	
	Examiner	Art Unit	
	Jason K. Lin	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/17/2003, 04/13/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is responsive to application No. 10/687,984 filed on 10/17/2003. **Claims 1-34** are pending and have been examined.

Information Disclosure Statement

2. The information disclosure statements (IDS) filed on 10/17/2003 and 04/13/2007 is considered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1, 2, 6, 7, 12, 19-21, 27-30, 32, and 33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorbatov et al. (US 6,792,617), in view of Arsenault (US 6,971,119), and further in view of Kanou (US 2003/0177492).

Consider **claims 1 and 27**, Gorbatov teaches a programmable device comprising a computer readable medium storing programming code for controlling the device to perform processing (Col 9: lines 14-31, 42-49) comprising:

storing program metadata that includes descriptive data for television programs and segment metadata that includes descriptive data for individual segments of television programs (Col 6: line 25 – Col 8: line 26 teaches descriptive data for television programs and individual

segments of television programs. Col 8: lines 28-34 teaches sending the descriptive data to the set-top box and later presenting it to the user. *Descriptive data is inherently stored in some type of memory, ie: cache, or permanent memory, prior to presentation to the user.* Col 8: line 62 – Col 9: line 2 teaches retrieving events of interest and matching the to the event notifications to record the segments. *Descriptive data is inherently stored in order for the set-top box to retrieve descriptive data for comparison*);

receiving a command to display a program guide (Col 4: line 65 – Col 5: line 1, and Col 8: lines 34-37 teaches displaying a program guide. *A command originating from some source is inherently received in order to cause the program guide to be presented to the user*); and

in response to the command, producing from the program metadata and segment metadata a program guide, the program guide further comprising fields representing individual segments of programs (Col 4: line 56 – Col 5: line 1).

Gorbatov does not explicitly teach, storing program and individual segment metadata that includes timing data;

the program guide comprising a grid of fields representing television programs arranged by time and channel.

In an analogous art Arsenault teaches, storing program metadata that includes timing data (Col 3: lines 54-61; Col 23-29);

a program guide comprising a grid of fields representing television programs arranged by time and channel (Fig.4; Col 11: lines 43-60),

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov's system to include storing program metadata that includes timing data; a program guide comprising a grid of fields representing television programs arranged by time and channel, as taught by Arsenault, for the advantage of presenting to the user in a convenient and organized manner, the channels and times programming content will occur, allowing them to easily process and decide on desired programming content.

Gorbatov and Arsenault do not explicitly teach storing individual segment metadata that includes timing data.

In analogous art Kanou teaches storing individual segment metadata that includes timing data (Fig.3; Paragraph 0038-0039).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov and Arsenault's system to include storing individual segment metadata that includes timing data, as taught by Kanou, for the advantage of organizing and prioritizing when program segments will occur during the span of the entire program.

Consider **claim 28,** Gorbatov teaches a programmable device comprising a computer readable medium storing programming code for

controlling the device to perform processing (Col 9: lines 14-31, 42-49) comprising:

storing program metadata that includes descriptive data for television programs and segment metadata that includes descriptive data for individual segments of television programs (Col 6: line 25 – Col 8: line 26 teaches descriptive data for television programs and individual segments of television programs. Col 8: lines 28-34 teaches sending the descriptive data to the set-top box and later presenting it to the user. *Descriptive data is inherently stored in some type of memory, ie: cache, or permanent memory, prior to presentation to the user.* Col 8: line 62 – Col 9: line 2 teaches retrieving events of interest and matching the to the event notifications to record the segments. *Descriptive data is inherently stored in order for the set-top box to retrieve descriptive data for comparison*); receiving a command to display a program guide (Col 4: line 65 – Col 5: line 1, and Col 8: lines 34-37 teaches displaying a program guide. *A command originating from some source is inherently received in order to cause the program guide to be presented to the user*);

in response to the command, producing from the program metadata and segment metadata a program guide (Col 4: line 56 – Col 5: line 1); and

in response to a further command, displaying segment information from said segment metadata for a program (Col 4: line 63 – Col 5: line 1).

Gorbatov does not explicitly teach, storing program and individual segment metadata that includes timing data;

the program guide comprising a grid of fields representing television programs arranged by time and channel.

In an analogous art Arsenault teaches, storing program metadata that includes timing data (Col 3: lines 54-61; Col 23-29);

a program guide comprising a grid of fields representing television programs arranged by time and channel (Fig.4; Col 11: lines 43-60),

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov's system to include storing program metadata that includes timing data; a program guide comprising a grid of fields representing television programs arranged by time and channel, as taught by Arsenault, for the advantage of presenting to the user in a convenient and organized manner, the channels and times programming content will occur, allowing them to easily process and decide on desired programming content.

Gorbatov and Arsenault do not explicitly teach storing individual segment metadata that includes timing data.

In analogous art Kanou teaches storing individual segment metadata that includes timing data (Fig.3; Paragraph 0038-0039).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov and Arsenault's system to include storing individual segment metadata that includes timing data, as taught by

Kanou, for the advantage of organizing and prioritizing when program segments will occur during the span of the entire program.

Consider **claim 32,** Gorbatov teaches a method in a programmable device (Col 9: lines 14-31, 42-49) comprising:

storing program metadata that includes descriptive data for television programs and segment metadata that includes descriptive data for individual segments of television programs (Col 6: line 25 – Col 8: line 26 teaches descriptive data for television programs and individual segments of television programs. Col 8: lines 28-34 teaches sending the descriptive data to the set-top box and later presenting it to the user. *Descriptive data is inherently stored in some type of memory, ie: cache, or permanent memory, prior to presentation to the user.* Col 8: line 62 – Col 9: line 2 teaches retrieving events of interest and matching the to the event notifications to record the segments. *Descriptive data is inherently stored in order for the set-top box to retrieve descriptive data for comparison*);

receiving a command to display a program guide; (Col 4: line 65 – Col 5: line 1, and Col 8: lines 34-37 teaches displaying a program guide. *A command originating from some source is inherently received in order to cause the program guide to be presented to the user*); and

in response to the command, producing from the program metadata and segment metadata a program guide, the program guide comprising

fields representing television programs arranged by channel, the program guide further comprising fields representing individual segments of a program in the list for which segment metadata is available (Col 4: line 56 – Col 5: line 1).

Gorbatov does not explicitly teach, storing program and individual segment metadata that includes timing data;

In an analogous art Arsenault teaches, storing program metadata that includes timing data (Col 3: lines 54-61; Col 23-29);

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov's system to include storing program metadata that includes timing data; a program guide comprising fields representing television programs arranged by channel, as taught by Arsenault, for the advantage of organizing and prioritizing the times programming will occur in order to present to to the user an organized interface that allows them to easily process and decide on desired programming content.

Gorbatov and Arsenault do not explicitly teach storing individual segment metadata that includes timing data.

In analogous art Kanou teaches storing individual segment metadata that includes timing data (Fig.3; Paragraph 0038-0039).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov and Arsenault's system to include storing individual segment metadata that includes timing data, as taught by

Kanou, for the advantage of organizing and prioritizing when program segments will occur during the span of the entire program.

Consider **claim 33,** Gorbatov teaches a method in a programmable device (Col 9: lines 14-31, 42-49) comprising:

storing program metadata that includes descriptive data for television programs and segment metadata that includes descriptive data for individual segments of television programs (Col 6: line 25 – Col 8: line 26 teaches descriptive data for television programs and individual segments of television programs. Col 8: lines 28-34 teaches sending the descriptive data to the set-top box and later presenting it to the user. *Descriptive data is inherently stored in some type of memory, ie: cache, or permanent memory, prior to presentation to the user.* Col 8: line 62 – Col 9: line 2 teaches retrieving events of interest and matching the to the event notifications to record the segments. *Descriptive data is inherently stored in order for the set-top box to retrieve descriptive data for comparison*);

receiving a command to display a program guide (Col 4: line 65 – Col 5: line 1, and Col 8: lines 34-37 teaches displaying a program guide. *A command originating from some source is inherently received in order to cause the program guide to be presented to the user*);

in response to the command, producing from the program metadata and segment metadata a program guide, the program guide comprising

fields representing television programs arranged by channel (Col 4: line 56 – Col 5: line 1); and

in response to a further command, displaying segment information from said segment metadata for a program in the list (Col 4: line 63 – Col 5: line 1).

Gorbatov does not explicitly teach, storing program and individual segment metadata that includes timing data;

In an analogous art Arsenault teaches, storing program metadata that includes timing data (Col 3: lines 54-61; Col 23-29);

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov's system to include storing program metadata that includes timing data; a program guide comprising fields representing television programs arranged by channel, as taught by Arsenault, for the advantage of organizing and prioritizing the times programming will occur in order to present to to the user an organized interface that allows them to easily process and decide on desired programming content.

Gorbatov and Arsenault do not explicitly teach storing individual segment metadata that includes timing data.

In analogous art Kanou teaches storing individual segment metadata that includes timing data (Fig.3; Paragraph 0038-0039).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov and Arsenault's system to include storing

individual segment metadata that includes timing data, as taught by Kanou, for the advantage of organizing and prioritizing when program segments will occur during the span of the entire program.

Consider **claim 2,** Gorbatov, Arsenault and Kanou teach wherein the program guide further comprises an indicator that is navigable among said program and segment fields in response to navigation commands to indicate a particular program or segment (Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse. *It is inherent that there is an indicator for selecting of events {program segments}*).

Consider **claim 6,** Gorbatov, Arsenault and Kanou teach in response to a command, scheduling the recording of a segment indicated by the indicator (Col 2: lines 35-37; Col 8: lines 37-40).

Consider **claim 7,** Gorbatov, Arsenault and Kanou teach in response to a command, initiating recording of a segment indicated by the indicator (Col 5: lines 1-6; Col 8: lines 37-40; Col 8: line 62 – Col 9: line 2).

Consider **claim 12,** Gorbatov, Arsenault and Kanou teach in response to a command, issuing a request for transmission to the device of a segment indicated by the indicator (Gorbatov - Col 37-44 teaches the user selecting and requesting events of interest {segment}. Col 8: line 62

– Col 9: line 5 teaches receiving and recording the selected segments requested).

Consider **claim 19,** Gorbatov, Arsenault and Kanou teach wherein the segment fields are located in the grid on the field of the program to which they correspond (Gorbatov – Col 4: line 56 – Col 5: line 1 teaches display of segments and their corresponding programs; Arsenault - Fig.4; Col 11: lines 43-60 teaches display of programming selections in a grid).

Consider **claim 20,** Gorbatov, Arsenault and Kanou teach the locations of borders of the segment fields within the program field are proportioned according to start times of the respective segments (Gorbatov – Col 4: line 56 – Col 5: line 1 teaches display of segments and their corresponding programs; Arsenault - Fig.4; Col 11: lines 43-60 teaches display of programming arranged according to their start and end times).

Consider **claim 21,** Gorbatov, Arsenault and Kanou teach the segment fields are located in the grid below the field of the program to which they correspond (Gorbatov – Col 4: line 63 – Col 5: line 1 teaches presenting program segments below the selected program; Arsenault - Fig.4; Col 11: lines 43-60 teaches display of programming selections in a grid).

Consider **claim 29,** Gorbatov, Arsenault and Kanou teach wherein said grid comprises an indicator that is navigable by a user among said program fields (Arsenault - Fig.4; Col 11: lines 43-60 teaches display of programming selections in a grid. Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse. *It is inherent that there is an indicator for selecting of events {program segments}*), and

wherein said segment information is displayed for a program indicated by the indicator (Gorbatov – Col 4: line 63 – Col 5: line 1).

Consider **claim 30,** Gorbatov, Arsenault and Kanou teach segment fields navigable by said indicator (Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse {navigable segment fields}. *It is inherent that there is an indicator for selecting of events {program segments}*).

5. **Claims 3-5, 31, and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorbatov et al. (US 6,792,617), in view of Arsenault (US 6,971,119), in view of Kanou (US 2003/0177492), and further in view of Reynolds et al. (US 2006/0010469).

Consider **claim 34,** Gorbatov teaches a method in a programmable device (Col 9: lines 14-31, 42-49) comprising:

storing program metadata that includes descriptive data for television programs and segment metadata that includes descriptive data for individual segments of television programs (Col 6: line 25 – Col 8: line 26 teaches descriptive data for television programs and individual segments of television programs. Col 8: lines 28-34 teaches sending the descriptive data to the set-top box and later presenting it to the user. *Descriptive data is inherently stored in some type of memory, ie: cache, or permanent memory, prior to presentation to the user.* Col 8: line 62 – Col 9: line 2 teaches retrieving events of interest and matching the to the event notifications to record the segments. *Descriptive data is inherently stored in order for the set-top box to retrieve descriptive data for comparison*);

receiving a command to display a program guide (Col 4: line 65 – Col 5: line 1, and Col 8: lines 34-37 teaches displaying a program guide. *A command originating from some source is inherently received in order to cause the program guide to be presented to the user*); and

in response to the command, presenting a program guide that is produced from the program metadata and segment metadata (Col 4: line 56 – Col 5: line 1), the program guide comprising:

fields representing television programs (Col 4: line 56 – Col 5: line 1); and

Gorbatov does not explicitly teach, storing program and individual segment metadata that includes timing data;

a portion that is customized to display information from the metadata of segments of programs displayed in the guide in response to navigation commands.

In an analogous art Arsenault teaches, storing program metadata that includes timing data (Col 3: lines 54-61; Col 23-29);

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov's system to include storing program metadata that includes timing data; a program guide comprising fields representing television programs arranged by channel, as taught by Arsenault, for the advantage of organizing and prioritizing the times programming will occur in order to present to to the user an organized interface that allows them to easily process and decide on desired programming content.

Gorbatov and Arsenault do not explicitly teach storing individual segment metadata that includes timing data.

In analogous art Kanou teaches storing individual segment metadata that includes timing data (Fig.3; Paragraph 0038-0039).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Gorbatov and Arsenault's system to include storing individual segment metadata that includes timing data, as taught by Kanou, for the advantage of organizing and prioritizing when program segments will occur during the span of the entire program.

Gorbatov, Arsenault, and Kanou do not explicitly teach a portion that is customized to display information from the metadata of segments of programs displayed in the guide in response to navigation commands.

In an analogous art Reynolds teaches, a portion that is customized to display information from metadata of segments of programs displayed in a guide in response to navigation commands (Paragraph 0107-0108).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include a portion that is customized to display information from metadata of segments of programs displayed in a guide in response to navigation commands, as taught by Reynolds, for the advantage of providing additional information to the user, allowing him/her to make a more well informed decision regarding the segment of interest.

Consider **claim 3,** Gorbatov, Arsenault and Kanou do not explicitly teach wherein the location of the indicator on a field representing a program segment causes display in the guide of descriptive information concerning that program segment.

In an analogous art Reynolds teaches, wherein a location of an indicator on a field representing a program segment causes display in a guide of descriptive information concerning that program segment (Paragraph 0107-0108).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include wherein a location of an indicator on a field representing a program segment causes display in a guide of descriptive information concerning that program segment, as taught by Reynolds, for the advantage of providing additional information to the user, allowing him/her to make a more well informed decision regarding the segment of interest.

Consider **claim 4,** Gorbatov, Arsenault and Kanou do not explicitly teach in response to a command, tuning to a channel of a segment indicated by the indicator.

In an analogous art Reynolds teaches, in response to a command, tuning to a channel of a segment indicated by an indicator (Paragraph 0112; Paragraph 0116, 0118).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include in response to a command, tuning to a channel of a segment indicated by an indicator, as taught by Reynolds, for the advantage of allowing the user to view the desired segment upon selection, providing them instantly with their desired selection keeping them entertained.

Consider **claim 5,** Gorbatov, Arsenault and Kanou do not explicitly teach in response to a command, scheduling a reminder for a segment indicated by the indicator.

In an analogous art Reynolds teaches, in response to a command, scheduling a reminder for a segment indicated by an indicator (Paragraph 0111-0112).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include in response to a command, scheduling a reminder for a segment indicated by an indicator, as taught by Reynolds, for the advantage of bringing to the attention of the user a selected segment they had desired to view, so that they will not forget and miss the desired segment.

Consider **claim 31,** Gorbatov, Arsenault and Kanou do not explicitly teach displaying additional segment information for a segment on which the indicator is located.

In an analogous art Reynolds teaches, displaying additional segment information for a segment on which an indicator is located (Paragraph 0107-0108).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include displaying additional segment information for a segment on which an indicator is located, as taught by Reynolds, for the advantage of

providing additional information to the user, allowing him/her to make a more well informed decision regarding the segment of interest.

6. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Gorbatov et al. (US 6,792,617), in view of Arsenault (US 6,971,119), in view of Kanou (US 2003/0177492), and further in view of Alexander et al. (US 6,177,931).

Consider **claim 8,** Gorbatov, Arsenault and Kanou do not explicitly teach in response to a command, updating viewer preferences stored by the device in accordance with segment characteristics represented in the segment metadata of a segment indicated by the indicator.

In an analogous art, Alexander teaches in response to a command, updating viewer preferences stored by the device in accordance with segment characteristics represented in the segment metadata of a segment indicated by the indicator (Alexander – Col 28: lines 30-67 teaches the system records/updates the user profile every time the viewer interacts with the EPG. Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse. *It is inherent that there is an indicator for selecting of events {program segments}*).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include in response to a command, updating viewer preferences stored by

the device in accordance with segment characteristics represented in the segment metadata of a segment indicated by the indicator, as taught by Alexander, for the advantage of providing the system with continuously updated user taste information, in order for the system to provide the user with the most up to date and most relevant programming selections tailored to the user.

7. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Gorbatov et al. (US 6,792,617), in view of Arsenault (US 6,971,119), in view of Kanou (US 2003/0177492), in view of Herring ton (US 6,865,746), and further in view of Alexander et al. (US 6,177,931).

Consider **claim 9,** Gorbatov, Arsenault and Kanou do not explicitly teach in response to a command, presenting a user interface that displays segment characteristics represented in the segment metadata of a segment indicated by the indicator;

receiving user selections with respect to the displayed segment characteristics;

updating viewer preferences in accordance with the user selections.

In an analogous art Herrington teaches, in response to a command, presenting a user interface that displays segment characteristics represented in the segment metadata of a segment indicated by the indicator (Herrington - Col 8: line 51 – Col 9: line 15 teaches displaying

characteristics of the current programming selection. Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse. *It is inherent that there is an indicator for selecting of events {program segments}*);

receiving user selections with respect to the displayed segment characteristics (Herrington - Col 8: line 51 – Col 9: line 15 teaches receiving user selection for displayed characteristics of the selected programming. Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse);

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault, and Kanou, to include in response to a command, presenting a user interface that displays segment characteristics represented in segment metadata of a segment indicated by an indicator; receiving user selections with respect to the displayed segment characteristics, as taught by Herrington, for the advantage of providing the user with a quick and easy way to customize search of programming choices similar programming to the selected programming of their taste.

Gorbatov, Arsenault, and Kanou, do not explicitly teach updating viewer preferences in accordance with the user selections.

In an analogous art, Alexander teaches updating viewer preferences in accordance with the user selections (Alexander - Alexander

– Col 28: lines 30-67 teaches the system records/updates the user profile every time the viewer interacts with the EPG).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault, Kanou, and Herrington to include updating viewer preferences in accordance with the user selections, as taught by Alexander, for the advantage of providing the system with continuously updated user taste information, in order for the system to provide the user with the most up to date and most relevant programming selections tailored to the user.

8. **Claims 10, 11, and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorbatov et al. (US 6,792,617), in view of Arsenault (US 6,971,119), in view of Kanou (US 2003/0177492), and further in view of Herrington et al. (US 6,865,746).

Consider **claim 10,** Gorbatov, Arsenault and Kanou do not explicitly teach in response to a command, identifying and displaying additional segments and programs having characteristics in common with characteristics represented in the segment metadata of a segment indicated by the indicator.

In an analogous art Herrington teaches, in response to a command, identifying and displaying additional programming selections having characteristics in common with characteristics represented in the programming metadata of a programming indicated by the indicator

(Herrington - Col 6: lines 43-52; Col 7: lines 38-60. Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse. *It is inherent that there is an indicator for selecting of events {program segments}*).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include in response to a command, identifying and displaying additional programming selections having characteristics in common with characteristics represented in the programming metadata of a programming indicated by the indicator, as taught by Herrington, for the advantage of providing the user with a quick and easy way to obtain similar programming to the selected programming of their taste.

Consider **claim 11,** Gorbatov, Arsenault and Kanou do not explicitly teach in response to a command, presenting a user interface that displays segment characteristics represented in the segment metadata of a segment indicated by the indicator;

receiving user selections with respect to the displayed segment characteristics; and

identifying and displaying additional segments and programs having characteristics in common with the selected segment characteristics.

In an analogous art Herrington teaches, in response to a command, presenting a user interface that displays segment characteristics represented in segment metadata of a segment indicated by an indicator (Herrington - Col 8: line 51 – Col 9: line 15 teaches displaying characteristics of the current programming selection. Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse. *It is inherent that there is an indicator for selecting of events {program segments}*).

receiving user selections with respect to the displayed segment characteristics (Herrington - Col 8: line 51 – Col 9: line 15 teaches receiving user selection for displayed characteristics of the selected programming. Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse); and

identifying and displaying additional programming having characteristics in common with the selected segment characteristics (Col 9: lines 16-33. Reynolds - Paragraph 0107-0108 teaches displayed segment characteristics).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault, and Kanou, to include in response to a command, presenting a user interface that displays segment characteristics represented in segment metadata of a segment indicated by an indicator; receiving user selections with respect to the displayed segment characteristics; and identifying and displaying

additional programming having characteristics in common with the selected segment characteristics, as taught by Herrington, for the advantage of providing the user with a quick and easy customizable way to obtain similar programming to the selected programming of their taste.

Consider **claim 26,** Gorbatov, Arsenault, and Kanou, do not explicitly teach metadata used to produce the guide is selected from among the stored program metadata and segment metadata in accordance with user-specified filtering criteria.

In an analogous art Herrington teaches, metadata used to produce the guide is selected from among the stored program metadata and segment metadata in accordance with user-specified filtering criteria (Herrington – Fig.7a; Col 8: line 49 – Col 9: line 15, and Col 9: lines 16-33 teaches displaying programming in accordance with user-specified filtering criteria. Gorbatov – Col 4: line 56 – Col 5: line 1 teaches displaying program segments and their corresponding metadata in a program guide).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault, and Kanou, to include metadata used to produce the guide is selected from among the stored program metadata and segment metadata in accordance with user-specified filtering criteria, as taught by Herrington, for the advantage of providing the user with a quick and easy customizable way to obtain programming tailored to their taste.

9. **Claims 13-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorbatov et al. (US 6,792,617), in view of Arsenault (US 6,971,119), in view of Kanou (US 2003/0177492), and further in view of Lemmons et al. (US 6,481,011).

Consider **claim 13,** Gorbatov, Arsenault and Kanou do not teach teaches interest level information indicating a level of viewer interest in a segment indicated by the indicator.

In an analogous art Lemmons teaches, interest level information indicating a level of viewer interest in a segment indicated by the indicator (Lemmons – Col 7: lines 16-55, Col 9: lines 1-20, 35-42 teaches indicating the level of viewer interest via color coding. Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse. *It is inherent that there is an indicator for selecting of events {program segments}*).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include interest level information indicating a level of viewer interest in a segment indicated by the indicator, as taught by Lemmons, for the advantage of allowing the user to quickly ascertain as to whether or not it is worth their time in viewing a particular programming.

Consider **claim 14,** Gorbatov, Arsenault and Kanou teach the interest level information includes a color code representing the level of viewer interest (Col 9: lines 1-20, 35-42).

Consider **claim 15,** Gorbatov, Arsenault and Kanou teach the interest level information includes at least one of a category and a keyword used in determining the interest level information (Col 9: lines 2-7).

Consider **claim 16,** Gorbatov, Arsenault and Kanou teach interest level information indicating respective levels of viewer interest in respective segments of a program.

In an analogous art Lemmons teaches, interest level information indicating respective levels of viewer interest in respective segments of a program (Lemmons – Col 7: lines 16-55, Col 9: lines 1-20, 35-42 teaches indicating higher level of interest if programming is highlighted in more than one color, meeting more than one criterion. Gorbatov - Col 5: lines 3-6 teaches selecting events of interests {program segments} using a remote control or a mouse. *It is inherent that there is an indicator for selecting of events {program segments}*).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include interest level information indicating respective levels of viewer

interest in respective segments of a program, as taught by Lemmons, for the advantage of allowing the user to quickly ascertain what particular programming best matches their viewing desires best.

Consider **claim 17,** Gorbatov, Arsenault and Kanou teach the interest level information includes a color code representing the level of viewer interest (Col 9: lines 1-20, 35-42).

Consider **claim 18,** Gorbatov, Arsenault and Kanou teach the interest level information includes at least one of a category and a keyword used in determining the level of interest (Col 9: lines 2-7).

10. **Claims 22-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorbatov et al. (US 6,792,617), in view of Arsenault (US 6,971,119), in view of Kanou (US 2003/0177492), and further in view of Logan et al. (US 2003/0093790).

Consider **claim 22,** Gorbatov, Arsenault and Kanou do not explicitly teach the segment fields are located outside of the grid.

In an analogous art Logan teaches, segment fields are located outside of a grid (Fig.5; Paragraph 0328).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include segment fields are located outside of a grid, as taught by Logan,

for the advantage of displaying a breakdown of the program in a designated place, where the user knows to look allowing them to quickly decide on segments of a video.

Consider **claim 23,** Gorbatov, Arsenault, Kanou, and Logan teach the segment fields are located in a segment description display area of the guide (Logan – Fig.5; Paragraph 0319, 0328).

Consider **claim 24,** Gorbatov, Arsenault and Kanou do not explicitly teach the segment fields are arranged in a column outside of the grid.

In an analogous art Logan teaches, segment fields are arranged in a column outside of a grid (Fig.4; Paragraph 0312, 0314 teaches segment fields arranged in a vertical listing).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault and Kanou to include segment fields are arranged in a column outside of a grid, as taught by Logan, for the advantage of displaying a well structured and informative breakdown of the program in a designated place, where the user knows to look allowing them to quickly decide on segments of a video.

Consider **claim 25,** Gorbatov, Arsenault, Kanou, and Logan teach the segment fields contain descriptive information for respective segments of a program (Logan - Fig.4; Paragraph 0312, 0314 teaches segment fields displaying corresponding descriptive information).

Kanou further teaches segment fields contains timing information (Fig.3; Paragraph 0040).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Gorbatov, Arsenault, Kanou, and Logan to include segment fields contains timing information, as further taught by Kanou, for the advantage of informing the user in an organized/prioritized manner when program segments will occur during the span of the entire program.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason K. Lin whose telephone number is (571)270-1446. The examiner can normally be reached on Mon-Fri, 9:00AM-6:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571)272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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09/30/2007

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